

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re FIRSTENERGY CORP. SECURITIES
LITIGATION

) No. 2:20-cv-03785-ALM-KAJ
)
) CLASS ACTION

This Document Relates To:

ALL ACTIONS

)
) Judge Algenon L. Marbley
) Magistrate Judge Kimberly A. Jolson
)
)

MFS Series Trust I, et al.,

Plaintiff,

vs.

FirstEnergy Corp., et al.,

Defendant.

) Case No. 2:21-cv-05839-ALM-KAJ
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Brighthouse Funds Trust II – MFS Value
Portfolio, et al.,

Plaintiff(s),

vs.

FirstEnergy Corp., et al.,

Defendant.

) Case No. 2:22-cv-00865-ALM-KAJ
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DECLARATION OF HILARY M. WILLIAMS

I, HILARY M. WILLIAMS, hereby declare under penalty of perjury as follows:

1. I am a member of the Bar of the State of New York and am admitted *pro hac vice* before this Court. I am Of Counsel at Sullivan & Cromwell LLP, counsel in the above-captioned actions for Defendant FirstEnergy Corp. (“FirstEnergy”). I respectfully submit this Declaration

in support of FirstEnergy's opposition to the Moving Parties' Motion to Compel Discovery Regarding FirstEnergy's Internal Investigation (ECF No. 489), and to provide the Court with certain documents cited in FirstEnergy's opposition brief.¹

2. Attached hereto as Exhibit 1 is a true and correct copy of the Form 12b-25 FirstEnergy filed with the Securities and Exchange Commission ("SEC") on August 10, 2020.

3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from the Form 10-Q FirstEnergy filed with the SEC on August 17, 2020.

4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the Form 8-K FirstEnergy filed with the SEC on November 2, 2020.

5. Attached hereto as Exhibit 4 is a true and correct copy of a privilege log prepared by PricewaterhouseCoopers, dated May 1, 2023.

6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts from the Form 10-K/A that FirstEnergy filed with the SEC on November 19, 2020.

7. Attached hereto as Exhibit 6 is a true and correct copy of excerpts from the transcript of the May 12, 2023 deposition of Julia Johnson.

8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from the transcript of the May 17, 2023 deposition of Thomas N. Mitchell.

9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the transcript of the May 18, 2023 deposition of Thomas N. Mitchell.

10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts from the transcript of the December 6, 2022 deposition of Joseph Storsin.

11. Attached hereto as Exhibit 10 is a true and correct copy of an email chain from Ebony L. Yeboah to Mark A. Hayden, dated August 30, 2013.

¹ Exhibits 4, 6–8, 10–11 are being submitted solely for in camera review in accordance with Section 8 of the Amended Stipulated Protective Order entered in this matter. (See ECF No. 411 § 8, PageID 9469-71.)

12. Attached hereto as Exhibit 11 is a true and correct copy of an invoice dated January 21, 2016 from Strategies for Results Inc. for services in 2015, and the contract between FirstEnergy Service Company and Strategies for Results, dated January 27, 2016.

13. Attached hereto as Exhibit 12 is a true and correct copy of a press release issued by the Rosen Law Firm, P.A. on July 22, 2020.

14. Attached hereto as Exhibit 13 is a true and correct copy of a press release issued by Labaton Sucharow LLP on July 22, 2020.

15. Attached hereto as Exhibit 14 is a true and correct copy of a press release issued by the Schall Law Firm on July 22, 2020.

16. Attached hereto as Exhibit 15 is a true and correct copy of a press release issued by the Law Offices of Howard G. Smith on July 22, 2020.

17. Attached hereto as Exhibit 16 is a true and correct copy of a press release issued by the Law Offices of Frank R. Cruz on July 22, 2020.

18. Attached hereto as Exhibit 17 is a true and correct copy of a press release issued by Glancy Prongay & Murray LLP on July 22, 2020.

19. Attached hereto as Exhibit 18 is a true and correct copy of a press release issued by Bragar Eagel & Squire, P.C. on July 22, 2020.

20. Attached hereto as Exhibit 19 is a true and correct copy of a press release issued by Holzer & Holzer, LLC on July 23, 2020.

21. Attached hereto as Exhibit 20 is a true and correct copy of a press release issued by Gardy & Notis, LLP on July 24, 2020.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, New York on July 26, 2023.

/s/ Hilary M. Williams
Hilary M. Williams

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on July 26, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will notify all counsel of record.

/s/ Thomas D. Warren

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